

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

BRENDA BOYD, Individually )  
and as Personal )  
Representative of the )  
Estate of CALVIN BOYD, )  
Deceased )

Plaintiff )

vs. )

UNION PACIFIC CORPORATION )

Defendant )

CIVIL ACTION NO.  
2:09-cv-00254

ORAL AND VIDEOTAPED DEPOSITION OF

ANTONIO DeLEON

SEPTEMBER 23, 2010

ORAL DEPOSITION OF ANTONIO DeLEON, produced as a  
witness at the instance of the Plaintiff and duly  
sworn, was taken in the above styled and numbered  
cause on September 23, 2010, from 9:53 a.m. to 11:52  
a.m., before Gaylord Sturgess, Certified Shorthand  
Reporter No. 744 in and for the State of Texas,  
reported by Stenographic method at the law offices of  
Brown, Dean, Wiseman, Proctor, Hart & Howell, 200 Fort  
Worth Club Building, 306 West 7th Street, Fort Worth,  
Texas, pursuant to the Federal Rules of Civil  
Procedure, Notice (and the provisions stated on the  
record) .

Job No. 8665 - 10923AD (GS-10187-gt)

PLAINTIFF'S  
EXHIBIT

A

1 he'd been working fast and furious for an hour or two?

2 A Oh, no.

3 Q Just ten minutes?

4 A (The Witness nodded his head up and  
5 down.)

6 Q Up until that time, that day, had Mr.  
7 Boyd said anything to you about feeling bad or having  
8 any troubles?

9 A No.

10 Q Yeah. And you've already told me you'd  
11 never known him to have any health problems before;  
12 other than you knew he was on blood pressure medicine?

13 A That's correct.

14 Q Did it -- was there anything out of the  
15 ordinary about the work he was doing, or the rate he  
16 was doing it, or anything like that, Mr. DeLeon?

17 A Oh, no.

18 Q Okay. Where were you and what happened  
19 to cause you to realize he was having some trouble?

20 A I was, like I say, he was on the east end  
21 on the machine.

22 I was a car ahead of him when he -- I was  
23 on top of the car where the ties are at, because I'm  
24 actually watching him.

25 Q Uh huh.

1           A       We backed up to start doing our work.

2           And like I said, he worked about ten minutes, and then  
3           he said, "Hold on a minute."

4           I have my walkie-talkie, because I talk  
5           to the engineer and conductor.

6           He said, "Hold on a minute, Tony. I'm  
7           starting to sweat. You know, I'm starting to feel,  
8           you know, sweating."

9           And I said, "Okay."

10           I told Roy and Frank, "Hold on a minute."

11           Q       Okay.

12           A       I said, "Are you all right, Calvin?"

13           He said, "Yeah, I'll be okay. I'll be  
14           okay. Just wait a minute."

15           I said, "Okay."

16           And then Roy, the Conductor, got on the  
17           radio. He said, "Do you want me to bring y'all some  
18           water?"

19           And I said, "Yes, bring us some water."

20           Q       Okay.

21           A       And I said, "Calvin, we're going to bring  
22           some water."

23           I said, "Are you okay?"

24           He said, "Yeah, I'm okay, Tony. Let's  
25           just wait a minute. I'll be all right."